

REMARKS/ARGUMENTS

Claims 13-21 are pending in the present application. Claims 13-21 are under a restriction requirement as the Examiner has asserted that there is one species of a method having steps of selecting a frequency and applying the frequency to a parallel plate cell and measuring complex admittance of the parallel plate filled with grain and a second species of a method having steps of measuring real and imaginary components of an excitation voltage; measuring complex components of sensed current and a sensed plate of the parallel plate. Applicant traverses the rejection.

The Examiner has suggested that the present application is towards two separate species that are defined by the two pending independent method claims. In response, the Applicant has elected claims 13-15, withdrawn claims 16-21, and has added new claims 27-32 that depend on claim 13. Claim 13 has also been amended to provide proper antecedent support for new claims 27-32. Thus, all claims depend on independent claim 13 and are all drawn to the same species and the restriction requirement should be withdrawn.

CONCLUSION

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200. All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Application No. 10/718,147
Docket No. P05388US1
Reply to Office Action of October 8, 2004

Respectfully submitted,



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